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DEPT FOR G/TIP, G, INL, DRL, PRM, IWI, EUR/PGI

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SUBJECT: TURKEY: ANTI TRAFFICKING-IN-PERSONS (TIP) REPORT  
FOR 2003

REF: A. SECSTATE 22225

[1](#)1. (U) Sensitive but unclassified. Please protect accordingly.

[1](#)2. (U) As requested, Post's responses are keyed to questions in ref (A). Embassy point of contact is Christina Boiler, Political section (telephone: 90-312-455-5555; fax: 90-312-468-4775). Boiler (rank: junior officer) spent approximately 150 hours in preparation of this report. Another political officer (rank FS-03) spent 30 hours and the Political Counselor (rank: FS-01) spent roughly 10 hours in preparation of this report.

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Embassy Comment  
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[1](#)3. (SBU/NF) Embassy recommends lifting Turkey from Tier III in the 2003 Trafficking-in-Persons (TIP) report. GOT initiatives over the past 12 months have demonstrated commitment to lasting steps in the fight against TIP. Passage of an anti-TIP law in August 2002, creation of an inter-agency task force, and efforts to begin victim assistance measures highlight a few of the actions GOT has taken to prevent TIP, punish offenders, and aid victims. Turkey has signed and ratified all international protocols against trafficking and is working with the EU, SECI, and the OSCE to enhance cooperation in the region to combat TIP.

[1](#)4. (SBU/NF) Based upon existing information and reporting trips to affected regions, Post finds trafficking is not significant in scope, although it reportedly does occur. Turkey's liberal visa regime towards its former Soviet bloc neighbors obviates the need for criminal gangs to provide travel documents or facilitate entry. While illegal prostitution by foreign women in Turkey is common, the majority of our contacts--GOT officials, police, businessmen, NGO and UN agency reps, and academics-- claim trafficked women are a small minority of those involved in illegal prostitution. We continue to probe but have seen no evidence to substantiate private reports of transit from Middle Eastern countries through Turkey to Greece or Italy.

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Note  
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[1](#)5. (SBU/NF) Much of the information contained in this report is anecdotal evidence obtained by multiple sources (governmental and non-governmental) in multiple interviews; when we were able to obtain statistical facts or firm governmental data, we have included the sources with the information. End note.

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Begin text  
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[1](#)6. (SBU/NF) OVERVIEW:

[1](#)A. (SBU/NF) Turkey appears to be a country of destination for a small number of women; transit may occur. Reports from local officials in the Black Sea region indicate some women may be brought into Turkey through Trabzon's border and then sent to Antalya or other parts of Turkey. No territory

within the country is outside of GOT control. There are no reports of forced labor or trafficking of men or children. There are no statistics- reliable or otherwise- to indicate the scope of the problem. A 2002 IOM study of TIP focused primarily upon the root causes and conditions of the problem rather than the scope of the problem. Sources of information include the following: newspaper articles and journalists; Ministry of Foreign Affairs; Ministry of the Interior and the Turkish National Police (TNP); the Ministry of Justice; the Ministry of Labor's Directorate on the Status and Problems of Women; academics; governors and subgovernors; the chief of mission of the International Organization for Migration (IOM); businessmen and hotel owners. These sources are of varying reliability; some state officials indicated reluctance to discuss the issue.

**B.** (SBU/NF) Most of the foreign women engaged in illegal prostitution or who work in the sex industry originate from the Black Sea Region (primarily Moldova, Georgia, and Ukraine but also including Romania, Azerbaijan, and Russia). "Mafia" organizations from source countries are believed to facilitate forced prostitution or trafficking. Their Turkish counterparts are believed to include former foreign prostitutes. Embassy contacts stress Turkish traffickers are typically small, splintered groups, sometimes 2-3 individuals, not large gangs. These individuals are linked usually through friendship or kinship ties rather than business ties. Uncorroborated reports of trafficked victims transiting through Turkey cite Israel, Italy, and Greece as destination countries.

**C.** (SBU/NF) Anecdotal evidence indicates that the overall numbers of foreign prostitutes in Turkey has dropped over the past several years. Embassy contacts cite improved economic conditions in the source countries and improved GOT engagement on the issue as reasons for the decline. However, reports have increased of former foreign prostitutes who have gained Turkish citizenship acting as pimps or TIP organizers to bring unwitting girls into Turkey.

**D.** (SBU/NF) A 2002 IOM trafficking study, as yet unpublished at the time of this report, focused on the causes and circumstances of trafficked victims into Turkey. While GOT has not yet provided statistical data, general observations by the researchers found trafficking to be only a small part of illegal prostitution. Economic conditions of source countries compelled women to come to Turkey in search of work. While some of these women came initially as "suitcase traders," many of them willingly chose to engage in illegal prostitution. By some accounts, a woman could make as much as 200 USD per night engaging in prostitution. Following the passage of the anti-TIP legislation in August 2002, the GOT Records Department has begun to keep statistics on cases filed using this law; it is believed initial statistics will be available in late spring/early summer 2003. Finally, a GOT inter-agency task force is currently drafting a National Action Plan and has tasked governors in 15 so-called high risk provinces to identify and locate potential shelters and to issue humanitarian visas and temporary residence permits to TIP victims. Once implemented, these shelters and visa statistics will prove an invaluable resource in determining if Turkey is or is not a major trafficking destination.

**E.** (SBU/NF) The scope of trafficking in Turkey is not known. Numerous interviews with governmental and non-governmental sources allow us to piece together how women may fall prey to the traffickers, but cannot provide a basis for an estimate as to how pervasive the problem may be. Many women escaping poverty in the former Eastern bloc come to Turkey knowing that they will engage in prostitution. Others come in response to misleading advertisements or enticements, for example to work as waitresses, models, dancers, or "bar girls" and are forced into prostitution by the groups who enticed them to come to Turkey initially. While a few of these women have obtained work permits through tourism or labor agencies that turn out to be fronts for traffickers, many women enter Turkey through a valid tourist visa. Reports say that TIP victims' passports are usually confiscated upon entry by traffickers. In cases where women come on a tourist visa to engage in prostitution, they may go into debt to trafficking groups to pay for passport fees, travel money, and clothes. Officials tell us that women are forced into submission by frequent beatings and threats; often, trafficking gangs threaten violence to family members in source countries should victims prove uncooperative or testify against them. Officials state women rarely complain against their captors because of potential ramifications at home. TIP victims are closely chaperoned throughout the day for meals and pre-arranged outings to shops or hairdressers. On the other hand, large numbers of foreign women engaged in illegal prostitution appear to enjoy a large amount of freedom, registering for Turkish language classes, traveling,

and obtaining cell phones.

**1F.** (U) Turkey is not a country of origin.

**1G.** (SBU/NF) Combating TIP became a GOT priority in 2002. An inter-agency task force, chaired by the Ministry of Foreign Affairs Deputy Director General for Illegal Migration, is comprised of officials from the Ministry of Interior (Department of Foreigners, Borders and Asylum; Department of Security; and Department of Organized Crime and Fraud), Ministry of Justice (Department of International Relations, Foreign Relations and Educational Affairs; Directorate of Criminal Records), Ministry of Finance, Ministry of Labor and Social Security (General Directorate of the Status and Problems of Women; General Directorate of Child Protection and Social Services), Ministry of Health (Department of Treatment Services), Prime Ministry (Department of Human Rights and Social Aid and Cooperation Fund).

**1H.** (SBU/NF) Post has not been able to obtain direct evidence regarding the direct involvement of government or other law enforcement officials in trafficking. However, there are credible reports of law enforcement officials receiving kickbacks either to smuggle aliens or to turn a blind eye to illegal foreign prostitution. There are also indirect reports of government officials turned traffickers because of the potential earnings.

**1I.** (SBU/NF) Although the GOT has ample law enforcement resources to fight trafficking, it claims not to have adequate funding for shelters or rehabilitation for trafficking victims. However, the GOT is considering the conversion of state-owned unused social training centers to shelters and is negotiating with NGOs, most notably IOM, to provide rehabilitation services to victims.

**17.** (SBU/NF) PREVENTION:

**1A.** (SBU) While government officials acknowledge that trafficking occurs, they argue that its scope is limited. They state that Turkey has a problem of foreign prostitution and illegal migration, contending Turkey's liberal visa regime for Balkan, Black Sea Littoral, and Caucasian states -- usually an automatic visa at the border for a nominal fee -- obviates the need for human smuggling gangs. However, in response to international pressure, the GOT has begun meaningful steps to combat TIP both in Turkey and in the region.

**1B.** (U) Government agencies involved in anti-trafficking efforts include the Ministry of Foreign Affairs; the Ministry of the Interior (which oversees the police, Jandarma (paramilitary rural police), and border guards); the Ministry of Labor; the Ministry of Justice; the Ministry of Health; and the Directorate on the Status and Problems of Women attached to the Ministry of Labor.

**1C.** (U) There have not been any formal, Turkey-wide anti-trafficking campaigns, to our knowledge. Ad hoc, individual governors and police officials are reported to have engaged in public awareness campaigns against trafficking at the local level utilizing local NGOs. The Directorate on the Problems and Status of Women held a panel in December 2002 on the issue of TIP. The 200 plus attendees included NGO representatives, journalists, police chiefs, and MFA officials. The Ministry of Interior plans to give the first training program to raise awareness of the TIP issue to 75 officers from 15 provinces by summer 2003.

**1D.** (U) The GOT does not support other programs to prevent trafficking, to our knowledge. However, the GOT is finalizing a National Action Plan, under which it aims to:

- establish a national hotline for victims;
- establish shelters;
- centralize the issuance of work permits under one GOT body;
- provide legal assistance to foreigners in positions of witnesses or victims during the continuations of court cases opened under Article 201(b);
- provide more detailed training programs for officials on how to take victim statements and how to determine who is a victim; and,
- increase the number of NGOs working on combating trafficking.

**1E.** (SBU) The GOT claims financial difficulties in funding prevention programs. However, GOT is pursuing alternate

funding opportunities, most notably NGO support, and expanding current training programs to GOT officials to include an anti-TIP component.

**F.** (SBU/NF) Neither Post nor IOM is aware of any Turkish or foreign NGO actively engaged in fighting the trafficking of women or aiding victims. However, GOT recently contacted IOM to prepare information on possible joint victim assistance programs. The British Council, the cultural office of the British Embassy, organized a two-day conference on the issue of trafficking in June 2002. Regional scholars, police officials, and NGOs participated.

**G.** (SBU/NF) Turkey borders Georgia, Azerbaijan, Armenia, Iran, Iraq, Syria, and Bulgaria, as well as EU member Greece.

Istanbul has a large international airport and there are also international ports of entry by land, sea, and air through several other cities, including Ankara, Trabzon, Erzurum, Adana, and Sarp, on the Georgian border. Although the government expends considerable law enforcement resource to monitor its borders, which are vast and remote, it is not always successful, and the smuggling of goods and humans occurs. Contacts report, however, that the vast majority of trafficking victims and other foreign women who engage in prostitution enter Turkey legally, either by getting work permits at Turkish Embassies abroad or, more commonly, by obtaining one month visas at the border. Since the collapse of the Soviet Union, Turkey has adopted a liberal visa regime with countries formerly in the Soviet Empire to encourage trade and tourism. Women who are deported for prostitution come back repeatedly, according to police. They alter their names slightly or receive a passport in an entirely different name with the help, according to Turkish police, of corrupt officials in source countries or organized criminals. Poor centralization in Turkish border control or corruption may also aid reentry. Only the passports of women testing positive for sexually transmitted diseases are scanned into a centralized computer system.

**H.** (SBU/NF) The GOT started an inter-agency task force to combat TIP led by the MFA Deputy Director General for Illegal Migration. (See number five; G for list of members of the task force). This task force is finalizing a "National Action Plan" that will study all aspects of trafficking. Also, the Ministry of Interior has established an internal task force comprised of all relevant sections of the Ministry to coordinate its efforts to fight TIP.

**I.** (U) Turkey plays an active role in the international community by regularly attending conferences hosted by SECI, USDOS, and IOM. GOT further works with the United Nations, OSCE (Stability Pact and ODIHR), Interpol, and the European Union to combat trafficking. Turkey has been especially active in the Trafficking Task Force within the framework of the Stability Pact/ODIHR.

**J.** GOT has not yet provided copies of its National Action Plan in response to repeated Embassy requests.

**K.** The MFA's Deputy Director General for Illegal Migration spearheads the GOT's anti-trafficking initiatives as head of the coordinating body for all agencies involved.

**8.** (SBU/NF) INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

**A.** (U) On August 3, 2002, the Turkish Parliament passed anti-trafficking legislation, Article 201(b) of the Turkish Penal Code.

The text of the law is as follows: "Those who provide, kidnap, take or transfer from one place to another and house other individuals with the intention of making them work or serve by force, subject them to slavery or similar treatment, threaten, pressure, use force or coercion to persuade them to give up their bodily organs, use undue influence, secure their consent by deception or by using the desperation of such individuals shall be sentenced to five to ten years of heavy imprisonment and a heavy fine of not less than one billion liras.

"If the actions that constitute a crime attempted with the intentions laid out in the first paragraph exist, the victim is assumed not to have given his/her consent.

"If the children below the age of eighteen are provided, kidnapped, taken or transferred from one place to another or housed with the intentions specified in paragraph one, even

when no intermediary actions relation to the crime are committed, the penalties foreseen in paragraph one shall still be applied to the perpetrator.

"If the crimes listed in the paragraphs above are committed in an organized manner, the penalties foreseen for the perpetrators shall be doubled."

**1B.** (U) The penalty for traffickers is five to ten years of heavy imprisonment and a fine of not less than one billion Turkish Liras. These penalties may be doubled if the crimes were committed in an organized manner.

**1C.** (U) According to the Turkish Penal Code Article 416, the penalty for rape and/or forced sexual assault is at least seven years. Attorney contacts note, however, that rape is difficult to prove and suspects may receive lighter sentences for various reasons involved in the incident.

**1D.** (U) While final statistics regarding the implementation of the anti-trafficking legislation are expected in June 2003, GOT tells us that four pending cases have been brought against traffickers since August 2002. At the time of this report, there were two public cases opened with trials ongoing. The first of these cases was opened at the Criminal Court of Ordu on November 18, 2002, and the second was opened at the second Criminal Court of Van on October 10, 2002. Two preliminary investigations have been also been performed. The public prosecutor in Ozalp/Van investigated 7 individuals and the prosecutor in Beykoz/Istanbul investigated five individuals for their activities associated with trafficking; the results are pending. GOT did not provide further details. At the time of this report, reportedly thirty-four persons have been apprehended across Turkey by local police for their involvement in TIP and sent to the court under Article 201(b). Eight individuals were taken into custody in Antalya, three in Kocaeli, two in Ankara, five in Manisa, two in Nevsehir, two in Denizli, and ten in Istanbul.

**1E.** (SBU/NF) Generally, it is believed that organized crime groups from states formerly in the Soviet Empire are behind trafficking. Contacts repeatedly stated that trafficking, where it exists, is in the hands of small operators. Groups may be as small as four or five people who are connected, most often, through kinship or friendship. Increasingly, former prostitutes who have gained Turkish citizenship are working as procurers and pimps and bring women on tourist visas. Traffickers posing as tourist agencies or firms in source countries bring women to Turkey with official work permits. Hotel owners are also believed to coerce women who work as prostitutes.

**1F.** (SBU/NF) Official sources tell us Turkey actively investigates cases of trafficking using special investigation techniques. Police officials in Trabzon stated they used primarily undercover operations against traffickers. The Ministry of Interior recently instructed governorships to issue humanitarian visas and temporary residence permits for victims to begin rehabilitation. Our legal contacts hope these visas and residence permits will allow victims to serve as witnesses in investigations and trials of traffickers. Mitigated punishment or immunity for cooperating suspects may be granted unofficially; under Turkish law, there is no policy for plea-bargaining or other confessional treatment for victims of trafficking.

**1G.** (U) The GOT has begun implementing formal training programs on trafficking for police and judicial officials. The Ministry of Justice has given several training seminars to approximately 600 judges and prosecutors on the issue of combating trafficking-in-persons between the period of October 2002 and February 2003. The Ministry of Interior recently developed a trafficking training program for 75 police officials that will be completed by spring 2003. As these training programs were internally developed and administered, Post is unaware of the content discussed or length of these seminars. The GOT also provides special training to the TNP's Foreigner Section officials in areas such as visa fraud, passport forgery, and illegal entries.

**1H.** (SBU/NF) Turkey maintains security cooperation agreements, which deal with trafficking, with Belarus, Moldova, Ukraine, Georgia, Azerbaijan, Bulgaria, Romania, and Russia. As of late January 2003, the MFA told Post GOT had not been contacted by any countries regarding cases of trafficking. Turkey cooperates with the OSCE, EU, Interpol, Europol, and the Black Sea Economic Cooperation. GOT officials have attended numerous international conferences on the issue of

trafficking, organized by governmental and NGO bodies.

**I.** (U) We have no information regarding the extradition of persons charged with trafficking from other countries or whether or not the government allows the extradition of its own nationals, if any, charged with such offenses.

**J.** (SBU/NF) We have no direct evidence of official involvement in or tolerance of trafficking at an official level. Contacts state there is some tolerance of foreign prostitution as long as it is kept within certain limits. Authorities may turn a blind eye in the belief prostitution brings an economic benefit. Places where foreign women congregate may provide a cover for trafficked women. One government source stated a current informant involved in trafficking was a former police officer who turned to trafficking crimes because of the money involved.

**K.** (SBU/NF) We do not have any direct evidence of GOT involvement in trafficking.

**L.** (U) Turkey has adopted the following conventions:

- ILO Convention 182 (Ratified early 2001)
- ILO Convention 29 and 105 on Forced or Compulsory Labor (ILO Convention 29 went into effect on January 27, 1998 and ILO Convention 105 on December 21, 1960)
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography (Ratified May 9, 2002)
- The Protocol to Prevent, Suppress and Punish Trafficking-in-Persons, especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime (Signed December 2000; Ratified January 31, 2003 and put into force February 4, 2003)

**9.** (SBU/NF) PROTECTION AND ASSISTANCE TO VICTIMS:

**A.** (SBU) The GOT intends to provide significant assistance to victims in the future. In the past, those who have been trafficked into Turkey were generally detained and deported.

The Ministry of Interior recently instructed all governorships to issue humanitarian visas and temporary residence permits for victims, to begin rehabilitation and treatment for the victim as well as to allow officials to begin investigation of traffickers and start legal action.

The GOT, under the umbrella of its Trafficking-in-Persons task force, has plans to open TIP shelters in locations believed to be vulnerable to trafficking. The Ministry of Interior ordered governors in 20 at risk cities to search the possibility to create shelters. These governors were instructed to look at state-owned buildings that were not currently in use. The GOT has also contacted IOM in Turkey to prepare a proposal for the operation of such shelters; however, no agreement has been reached. At the time of this report, there were no shelters for trafficking victims.

If a foreign woman is detained for prostitution, she is tested for sexually transmitted diseases (STD) before deportation. According to the police chief in Trabzon, if a woman tests positive for a STD and requests assistance, she would receive medical help. In 2002, very few women who were deported for prostitution from Trabzon and tested positive for STDs, requested and received medical care. According to the Trabzon Police Chief, 740 foreign women were deported from Trabzon in 2002. All were subject to medical tests and 36 were infected with various diseases.

**B.** (SBU) Turkey does not fund victim services, and there are no Turkish NGOs that provide such services. Only IOM Turkey has worked with source country embassies to provide travel documents to women who have been detained for prostitution or escaped from traffickers.

**C.** (SBU) While Turkey plans to take more victim assistance measures, victims of trafficking and foreign women detained for prostitution have been generally deported within two weeks of detention.

**D.** (SBU) We have no evidence indicating that victims are encouraged to file civil lawsuits or seek legal action

against traffickers. The introduction of humanitarian visas and temporary work permits (see para A) may show victims more willing to seek legal action.

1E. (SBU) To our knowledge, the government does not provide protection for victims and witnesses.

1F. (SBU) The GOT has provided trafficking-in-persons training to judicial and police officials (see question 7 para G); however, course content has not been shared with post. The second part of the question does not apply because Turkey is not a source country.

1G. (U) Not applicable. Turkey is not a source country.

1H. (U) There are no Turkish NGOs working with trafficking victims. To our knowledge, IOM Turkey is the only NGO that has provided assistance to trafficking victims (see para B).  
PEARSON